

EXHIBIT 6

From: [Lustberg, Lawrence S](#)
To: [Konkoly, Antonia \(CIV\)](#)
Cc: [Orloff, Serena M \(CIV\)](#)
Subject: RE: Snowden -- motion for sanctions
Date: Monday, July 06, 2020 8:55:50 PM
Attachments: [0](#)

Hey, Toni – Without seeing your motion, I have no idea how we will respond, if we do, but we certainly will not argue that you violated 37(d)(1)(B) – and I agree that further conversation would not be fruitful, as much as I enjoy talking to you and Serena. Thanks for confirming though.

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Subject: Snowden -- motion for sanctions

Hi Larry,

This is just to briefly touch base on our anticipated motion for sanctions against Mr. Snowden, which we've mentioned at least a few times that we intend to file. That is still our intention, and we currently hope to have the motion on file by Friday. As we explained in our last extension motion, the sanctions we plan to seek will be intended to, basically, "level the evidentiary playing field," in light of Mr. Snowden's refusal to participate in discovery.

We're still working on tailoring the precise contours of our request, but wanted to flag that under our reading of FRCP 37(d)(1)(B), we have—through our earlier conferrals regarding Mr. Snowden's stance on discovery—satisfied our obligation to "attempt to obtain the answer or response without court action." However, if you disagree, or think a further conversation on that subject before we file our motion might be fruitful, please let us know, and Serena and I would be happy to set up a time to chat.

Thanks,
Toni

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Trial Attorney

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